

Regular Council Meeting
October 12, 2004

Mayor Marse called to order the regular scheduled meeting of October 12, 2004 at 7:00 pm.

Members Present: Mayor J.M. Marse, Council members Janice McLean, Earl King, Ray Jackson, Mike Helton, and Jean Arrant were present. City Clerk Diane Riley absent. Also present: Attorney Clayton Adkinson and Brooke Jackson.

Councilman Helton gave the invocation and the Pledge of Allegiance was recited.

Councilman Helton motioned to accept minutes of the RCM on 9/23. Councilman Jackson 2nd the motion, it carried, 5-0.

Old Business:

Paul Miller of WFRPC requested approval of a development order for Hammock Bay Pods 1-3. Councilman King motioned to approve the development order, Councilman Helton 2nd the motion, it carried 5-0. Paul performed the 2nd reading of small scaled amendment #04-02, changing the FLUM for Freeport Industries property on Robinwood Dr. Councilwoman McLean motioned to approve the amendment, Councilman Helton 2nd the motion, it carried, 5-0. Paul performed the 2nd reading of small scaled amendment #04-05, changing the FLUM for Cox Communications property on US Hwy 331 S. Councilman King motioned to approve the amendment, Councilwoman McLean 2nd the motion, it carried, 5-0. Paul performed the 2nd reading of small scaled amendment #04-06, changing the FLUM for Connor property on St. Rd 20. Councilwoman McLean motioned to approve the amendment, Councilman King 2nd the motion, it carried, 5-0. Paul performed the 2nd reading of zoning ordinance #04-06, zoning Freeport Industries property on Robinwood Dr. to a R-1 designation. Councilman Helton motioned to approve the zoning, Councilman Jackson 2nd the motion, it carried, 5-0. Paul performed the 2nd reading of zoning ordinance #04-07, zoning Cox Communications property on US Hwy 331 S. to a C-1 designation. Councilman Helton motioned to approve the zoning, Councilwoman McLean 2nd the motion, it carried, 5-0. Paul performed the 2nd reading of a rezoning ordinance #04-08, zoning Connor property on St. Rd 20 to a C-1 designation. Councilman King motioned to approve the rezoning, Councilman Jackson 2nd the motion, it carried, 5-0.

Charles Peters of PMA presented a written engineer's report. Council responded to report with Mickey saying he had spoken with Doug Barr at Water Management and the City has received \$500,000 in grant funding for the expansion of sewer lines on Bay Loop. Councilwoman McLean and Mayor Marse discussed the timing on going to the County Commissioners about the expansion of the sewer service south of town. Mayor Marse stated that he spoken with DOT on Oct. 12, and contract for the road construction of 331 will start in March 05. The City is required to move the water lines at the intersection of 331/20 and shall do so when the City receives a letter from the state showing ownership of the property. Mayor Marse and Councilman King will get together to discuss the consumptive use permit.

Councilman King motioned to repeal Resolution #04-11, the implementation of impact fees for the Fire Department. Councilman Helton 2nd the motion, it carried, 5-0.

New Business:

Al Buford and Don Williams from the Hammock Point community addressed the Council about supplying their community with water. Mr. Buford stated they had received a grant to pave streets from Water Management, but would like to have utilities prior to paving. He asked the Council if the City would connect the Portland system and North Bay Water system to service the areas between both. Council advised Mr. Buford they would try to help, but the citizens really need to speak with the County. Council agreed to get cost estimates for residents so they can take those figures to the County for a grant or loan. Fred Simpler spoke out by questioning why

the City is trying to help this community when they have not finished the Co. Hwy 3280 through Bruce and tie back to St. Rd. 20 expansion yet. The Council responded by stating at the time the expansion was put in it was not feasible for the amount of customers to sign on 7 years ago when the expansion went in.

Fred Simpler formally filed a complaint on Blueberry Road. It consist of horses being kept inside the City limits and causing odor and mosquitoes. Horses are being kept behind his property and also in front of property. Council will instruct the Clerk to contact Code Enforcement and tell them that the City Council would like it resolved. The horses belong to Mitch Block and Kim Caswell. A signed petition is contained within the official records.

Councilman Helton motioned to pay all bills that were in order. Councilman Jackson 2nd the motion, it carried, 5-0.

Attorney Adkinson performed the first readings of proposed ordinance amending Ord. 01-08, entitled user charges and surcharges section 6.1 and 6.2 for sewer. Councilman Helton motioned to accept the first reading and advertise for adoption at the next Council meeting. Councilman Jackson 2nd the motion, it carried, 5-0.

Attorney Adkinson performed the first readings of proposed ordinance amending Ord. 03-05, entitled fees, establishes impact fees. Councilman Helton motioned to accept the first reading and advertise for adoption at the next Council meeting. Councilman Jackson 2nd the motion. Jack Rhodes questioned on the purposed increases on rates, taps fees and impact fees wondering when there was discussion on these topics. Attorney Adkinson replied by says the Mayor, City staff, and engineering came up with these rates and this is what the first reading is all about. It is not being adopted tonight, it is offered to the public for review and will be advertised for adoption later. Mayor Marse explained that the City is going to the W. C. Commissioners for financial help in running sewer to the south. It was required that a plan be formulated to show repayment of a loan. Rates will have to be increased to support this expansion. Jack Rhodes continued his concerns by recalling figures given to him several months ago when the City was updating the comp plan about the cost of running the sewer south. He recalls the project costing only about 1.5 million dollars and now it is up to 10 million dollars. He feels this would certainly effects his client if the rates were increased. He also stated that there has been no workshop for public input like business owners, developers, and residents. Mayor Marse stated that this City has not raised the sewer rates in years, and was kept low for the persons that could not afford high rates. The City has not made money in the sewer business. Today we are doing an expansion to the plant for 1.8 million dollars, even though your client purchased taps for his development we only have 1.4 million dollars to do this expansion. This City cannot take general funds to run the utility departments. Mr. Rhodes stated that at the previous workshops it was estimated by the engineer to only cost 1.1 million dollars with an impact of \$350. Now the fee is \$1000. In defense of the engineer, Mayor Marse said the cost of gas was \$1 a gallon, now it is \$2 a gallon, the cost of steel has gone through the roof and the cost of concert is through the roof. Mr. Rhodes continued by saying this was only a 4 to 6 month delay and he was not laying this at the feet of the engineer, he thinks that everyone needs time to look at these purposed fee changes. Attorney Adkinson responded by says that the Council has not tried to slip anything by the public, and that is the reason for this first reading. It is the process that has always been followed when dealing with ordinances. Councilwoman McLean stated that she would like to see items like this ahead of time and she thought there would be a workshop on this matter. Attorney Adkinson stated that this is what a first reading does, it brings to the public about what's happening. Councilman King noted that this is only a first reading and to his understanding the fees are not in stone and can be changed prior to adoption, and a workshop can be held before such adoption. He also stated if the numbers reflected in these ordinances are not in effect when going outside the City, the City could not afford the expansion. Audience member George Copelan stated that this was just a reading to indeed let the public know what is in the works. Engineer Peters stated that in September when the City was negotiating with the County for a loan in doing the project, that is when be began looking at the fees and they needed increasing even further to meet the financial commitment. Attorney Adkinson stated that it would not affect projects already in progress, only new ones. Councilwoman Arrant asked for a vote on the 2nd reading and advertise for adoption of the amended Ord. #03-05. Motion made, all

yeas, motion carried 100%. The resolution concerning rates and fees was tabled until the next meeting.

Mayor Marse asked if the resolution concerning planning fees be adopted tonight for the cost of WFRLC consultant was eating our lunch. Councilwoman Arrant motioned to adopt Resolution #04-16, Councilman Jackson 2nd the motion, it carried, 5-0.

A workshop was set October 19 @ 7pm on the water and sewer fees.

Other Business:

Mayor Marse stated that the City needs a water operator. He wants the Council to advertise for the position. He notified the Council that during the Monday morning meeting he offered to all employees that the City will pay for schooling and licensing for anyone interested in getting a water license. Any employee wishing to do so may, but if licensed they must give the City two years of work.

Councilwoman McLean notifies the Council that Bridgett Hilgenberg has showed an interest in returning back to the City. Councilwoman McLean commented about the need for another licensed person and Robert Fawcett feels that it will be a good asset for the City. Councilwoman Janice motioned to hire Ms. Hilgenberg on a temporary bases and then advertise for a full time position. Councilman Jackson 2nd the motion, it carried, 5-0.

Personnel returned back to the meeting about the complaint from Mr. Simpler. Upon finding the file and being reviewed by Councilman King it was determined that farm animals are only allow in the RR and RA zoning districts. Further investigation will be conducted about hearings and a LDC review concerning this item.

Councilwoman McLean handed out a draft purposing a process for handling development review issues.

Councilwoman Arrant discussed the recreational meeting with Freeport 860. She gave thank to Kasey Keyes and Jack Rhodes for their help in getting the City a new park. A park planner was hired by Freeport 860 and presented a designed park and it came out great.

Audience member Ronnie Brannon asked the Council when the old Blount house was going to be moved. Councilwoman McLean stated that the movers were looking at the end of the week. Progress had gotten behind due to the storm.

Paul Miller of WFRPC has to rezoning issues. He performed the first reading of the ordinance on the “Nita Lusa” known as the W.C. Industrial Park property. It consist of 8.85 acres, changing the zoning from I-2 to I-1. Councilman King moved to accept the reading as presented and advertise for a 2nd reading and adoption. Councilman Helton 2nd the motion, it carried, 5-0. He then performed the first reading of the ordinance on the “Eastland Holdings” also property within the W.C. Industrial Park property. It has .92 acres in it, changing the zoning from I-2 to I-1. Councilman King moved to accept the reading as presented and advertise for a 2nd reading and adoption. Councilman Helton 2nd the motion, it carried, 5-0.

With no other business, Councilman Helton motioned to adjourn at 8.55 pm.

ATTEST:

APPROVED:

J.M. Marse, Mayor

Diane Riley, City Clerk

Janice McLean, President of Council